

(The following is a synopsis of the minutes of the West Branch City Council meeting. The full text of the minutes is available for inspection at the City Clerk's office. The minutes are not approved until the next regularly scheduled City Council meeting.)

**West Branch, Iowa
Council Chambers**

City Council Meeting

**May 6, 2013
7:00 p.m.**

Mayor Worrell opened the West Branch City Council meeting by welcoming the audience and the following City staff: City Administrator Matt Muckler, City Attorney Kevin Olson, Administrative Assistant Jennifer Harden, Public Works Director Matt Goodale, Lead Water Operator Tim Moss, Police Chief Mike Horihan, Parks & Recreation Director Melissa Russell, and Library Director Nick Shimmin
Council members: Jordan Ellyson, Colton Miller, Jim Oaks, Dick Stoolman and Mary Beth Stevenson.

APPROVE AGENDA/CONSENT AGENDA

- a. Approve minutes from the April 15, 2013 City Council Meeting.
- b. Approve claims.
- c. Approve transfer of \$51,338.01 from Krouth & Enlow Fund 501 to Library – General Fund 031.
Approve deposit of \$40,690 from the CD into the library operating fund and creating a new CD with the balance of \$10,648.01 in fund 031.
- d. Approve Class E Liquor license with privileges: Class B Carryout Wine permit, Class C Beer permit, and Sunday Sales permit for Kum & Go, LC, DBA Kum & Go #254.

Motion by Ellyson to approve the agenda and second by Stoolman. AYES: Ellyson, Stoolman, Miller and Oaks.
Motion carried.

Date 5-6-13	City Of West Branch	
	Claims Register Report	
Blue Cross Blue Shield	Insurance	9,311.08
EFTPS	Federal Withholdings	5,000.68
Goodale, Matthew	Streets - Fuel Reimbursement	19.05
Haasco Ltd.	Testing At Dog Park	200.00
Horihan, Mike	Police – Reimbursement	23.98
Hy-Vee	Park & Rec - Easter Egg Hunt Supplies	81.07
Iowa Assn. Mun. Utilities	Admin - Training Workshop	30.00
Iowa Dept. Of Natural Resources	Water - Stagg Operator Cert. Fee	20.00
Iowa Department Of Revenue	Payroll Expense	720.00
IPERS	Ipers	7,144.26
Martin, Selina	Utility Water Refund	25.55
Mediacom	Admin – Service	40.90
Payroll Expense	Payroll Expense 4-26-13	22,813.79
Pierce, Shawn	Park & Rec - Reimb. For Supplies	143.50
Quality Engraved Signs	Admin – Nameplates	106.97
Ricklefs Excavating Ltd.	Wastewater - Lift Station Project	402,705.00
Russell, Melissa	Park & Rec – Reimbursement	122.96
Treasurer State Of Iowa	State Withholding Tax	1,848.00
UPS	Sewer – Shipping	48.88
Wageworks	Flex - Employee Flex Benefit	15.68
		450,421.35
Fund Totals		
001 General Fund		21,133.88
031 Library		4515.84
110 Road Use Tax		89.19
112 Trust And Agency		10,305.64
600 Water Fund		5,826.40
610 Sewer Fund		5,829.72
614 Wastewater Lift Station		402,705.00
950 BC/BS Flexible Benefit		15.68
Grand Total		450,421.35

COMMUNICATIONS/OPEN FORUM

None.

PUBLIC, DEPARTMENT HEADS, COMMISSIONS, CITY ADMINISTRATOR AND CITY COUNCIL
Resolution 1100, approving the appointment of Mary Beth Stevenson to fill the unexpired term of Councilmember Dan O'Neil./Move to action.

Motion by Ellyson to approve Resolution 1100 and second by Miller. AYES: Ellyson, Miller, Oaks, Stoolman. Motion carried.

Accept the resignation of Mary Beth Stevenson from the Planning and Zoning Commission./Move to action.

Motion by Ellyson to approve the resignation and second by Stoolman. AYES: Ellyson, Stoolman, Miller, Oaks, Stevenson. Motion carried.

Councilperson Colton Miller – Appointments/Reappointments./Move to action.

i. Molly Menard – Planning & Zoning Commission, December 31, 2016

Motion by Miller and second by Ellyson. AYES: Miller, Ellyson, Oaks, Stoolman, Stevenson. Motion carried.

Accept the resignation of Laura Gongora from the Library Board of Trustees./Move to action.

Motion by Miller to approve the resignation and second by Ellyson. AYES: Miller, Ellyson, Oaks, Stoolman. Motion carried.

Mayor Mark Worrell – Appointments/Reappointments./Move to action.

i. Molly Menard – Planning & Zoning Commission, December 31, 2016

Motion by Ellyson and second by Miller. AYES: Ellyson, Miller, Oaks, Stoolman, Stevenson. Motion carried.

Third Reading of Ordinance 708, vacating that certain 60-foot portion on an alley located between lots 65 & 66 and lot 42 in block 7 in Cameron (Original Town) also known as West Branch, West Branch, Iowa./Move to action.

Motion by Stoolman to approve third reading of Ordinance 708 and second by Miller. AYES: Stoolman, Miller, Ellyson, Oaks, Stevenson. Motion carried.

Ordinance No. 708

AN ORDINANCE VACATING THAT CERTAIN 60-FOOT PORTION ON AN ALLEY LOCATED BETWEEN LOTS 65& 66 AND LOT 42 IN BLOCK 7 IN CAMERON (ORIGINAL TOWN) ALSO KNOWN AS WEST BRANCH, WEST BRANCH, IOWA.

WHEREAS, pursuant to Section 354.23 of the Code of Iowa, the City has held a public hearing on the proposed vacation of a 60-foot portion of the alley located between Lots 65 & 66 and Lot 42, Block 7 in Cameron (Original Town) A.K.A. West Branch, Cedar County, Iowa; and

WHEREAS, it is now necessary to pass an ordinance vacating said section of alley and directing the County Auditor to use this ordinance as the conveyance document for said alley without further documentation.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WEST BRANCH, CEDAR COUNTY, IOWA, AS FOLLOWS:

Section 1. Vacation of Alley.

The 60-feet of that certain 16-foot wide alley located to the north of Lots 65 & 66 and to the south of Lot 42 in Block 7 in Cameron (Original Town) A.K.A. West Branch, Cedar County, Iowa, be and the same is hereby vacated.

Section 2. Conveyance.

Pursuant to Section 354.23 of the Code of Iowa, the alley shall be conveyed as follows:

- a. The northern 8-feet of said 60-foot alley shall be conveyed to Thomas Cannon (Parcel #0500-13-08-127-003-0)
- b. The southern 8-feet of said 60-foot alley shall be conveyed to James and Lois Oaks (Parcel #0500-13-08-127-013-0)

The County Auditor is directed to show said conveyance on its books without further documentation.

Section 3. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Adjudication. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

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Passed and approved this 6th day of May, 2013.

First Reading: April 1, 2013
Second Reading: April 15, 2013
Third Reading: May 6, 2013

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

Second Reading of Ordinance 710, vacating the northern 70 feet of a 16-foot alley located between lots 21 & 22 in block 22 in Cameron (Original Town) A.K.A. West Branch, in West Branch, Cedar County, Iowa./Move to action.

Motion by Miller to approve second reading of Ordinance 710 and second by Ellyson. AYES: Miller, Ellyson, Oaks, Stoolman, Stevenson. Motion carried.

Second Reading of Ordinance 711, amending Title Chapter 160 Flood Plain Regulations./Move to action.

Seventeen properties are being added to the 100-year floodplain and two properties are being added to the 500-year floodplain. Scott Drive is the area most affected.

Motion by Ellyson to approve second reading of Ordinance 711 and second by Miller. AYES: Ellyson, Miller, Oaks, Stoolman, Stevenson. Motion carried.

Resolution 1104, approving 28E agreements between the City of West Branch, Iowa and the Boards of Trustees of Cass, Gower, Graham, Iowa, Scott and Springdale Townships for the purposes of fire protection and aid and assistance for other emergencies or disasters relating to life and property, or hazardous materials./Move to action.

Motion by Miller to approve Resolution 1104 and second by Stevenson. AYES: Miller, Stevenson, Ellyson, Oaks. Abstain with Conflict: Stoolman. Motion carried.

Resolution 1105, approving an engineering services agreement between Calhoun – Burns and Associates, Inc. and the City of West Branch, Iowa for 2013 bridge inspection and load rating./Move to action.

Oaks asked about the cost of the agreement. Muckler responded it was \$700.

Motion by Ellyson to approve Resolution 1105 and second by Miller. AYES: Ellyson, Miller, Oaks, Stoolman, Stevenson. Motion carried.

Resolution 1106, setting a public hearing for Monday, May 20, 2013 at the 7:00 p.m. City Council Meeting on amending the current budget for the fiscal year ending June 30, 2013./Move to action.

Motion by Ellyson to approve Resolution 1106 and second by Stoolman. AYES: Ellyson, Stoolman, Miller, Oaks, Stevenson. Motion carried.

Resolution 1107, approving an engineering services agreement for West Branch Sanitary Sewer Study – Phases 2 & 3 with Veenstra & Kimm, Inc. in an amount not to exceed \$20,000./Move to action.

Stoolman asked about the study area and City Engineer Dave Schechinger explained it was the remainder of the east side of town and Golf View Heights. Miller asked about the timing for the agreement for studying phases 2 & 3 prior to repairs on phase 1. Muckler stated that bond proceeds are budgeted for repairs to phases 2 & 3. Studying phases 2 & 3 in the current year would allow the city to make these repairs in 2014.

Motion by Ellyson to approve Resolution 1107 and second by Stoolman. AYES: Ellyson, Stoolman, Miller, Oaks, Stevenson.

Resolution 1108, approving revised Altorfer, Inc. Site Plan./Move to action.

Oaks asked if the flood retention structure on the property was adequate. Schechinger explained that much of the property will not be paved and this flood retention structure met the requirements.

Motion by Ellyson to approve Resolution 1108 and second by Miller. AYES: Ellyson, Miller, Oaks, Stoolman, Stevenson. Motion carried.

Discussion of U.S. Department of Justice Community Oriented Policing Services (COPS) Grant Application.

Chief Horihan explained that the grant would provide \$125,000 over three years for hiring an additional police officer. Worrell stated that he felt adding a police officer in the next four years is necessary. Ellyson expressed support for making application for the grant. Oaks stated that in previous meetings with the Cedar County Sheriff's Office, he was told that it would take five officers would be necessary for 24-hour coverage.

Resolution 1109, approving a three-year service agreement with eCivis for Grants Network: Research and Grants Network: Knowledge Base services in an amount of \$3,500 per year./Move to action.

Oaks stated that the Council would consider dedicating over \$30,000 for grant writing services with two agenda items. Oaks suggested that the grants are not guaranteed and that the staff might attempt to write grants. Muckler discussed the searchable service that eCivis provides. Muckler also discussed the short timeline on the COPS Grant. Stevenson asked about whether or not eCivis would consult on individual grant opportunities and Muckler indicated that eCivis would provide this service. Stevenson mentioned that there is a cost for staff time writing the grants if the Council chose not to pursue agreements with a grant service provider. Russell stated that she felt the Park & Rec Commission would support the use of Park & Rec reserve funds for the writing of grants for park & recreation uses. Community member Becky Frederick spoke to the growing complexity and competitiveness of grant writing.

Motion by Ellyson to approve Resolution 1109 and second by Stevenson. AYES: Ellyson, Stevenson, Miller, Stoolman. NAYES: Oaks. Motion carried.

Resolution 1110, approving a service agreement with eCivis for the writing of three grants in an amount of \$22,500./Move to action.

Motion by Ellyson to approve Resolution 1110 and second by Miller. AYES: Ellyson, Miller, Stoolman, Stevenson. NAYES: Oaks. Motion carried.

Resolution 1111, approving an engineering services agreement for West Branch, Iowa Sanitary Sewer Rehabilitation – Area 1 with Veenstra & Kimm, Inc. in an amount not to exceed \$30,950./Move to action.

Motion by Miller to approve Resolution 1111 and second by Ellyson. AYES: Miller, Ellyson, Oaks, Stoolman, Stevenson. Motion carried.

CITY STAFF REPORTS

City Engineer Dave Schechinger and City Attorney Kevin Olson – Potential Formation of a Stormwater Utility for the City of West Branch

Schechinger stated that the purpose of a stormwater utility is to repair and maintain a storm sewer system. Several communities charge a flat fee for residential and develop an equivalent residential unit cost for larger users. Miller asked what the cost to the city was for property owners whose stormwater runs directly to a creek. Stoolman and Oaks asked that Olson draft an ordinance for future Planning & Zoning Commission and City Council review.

Library Director Nick Shimmin – Update on Library Building Program

Shimmin reported that design charrettes were completed April 23-24. The library consultant and architects were at the library taking community input. Preliminary drawings were completed on some sights. This is the second group of architects to find that the current footprint of the library would not be possible for expansions. The ending result was heavily in favor of having the Library work in concert with the School District in an attempt to find a way to keep the Library in the vicinity of Hoover Elementary School.

Park & Rec Director Melissa Russell – Tree Planting Event Report

Russell reported that over 340 volunteers from the West Branch Community School District assisted in planting trees. The event was a success and over 120 trees were planted in the West Branch Municipal Cemetery. Stevenson asked about a plan in case of drought conditions. Goodale stated that the Public Works Department would be responsible for watering trees in the case of drought.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

A. Mayor Mark Worrell – Residential Lot Plan Requirements

Schechinger stated that other municipalities are requiring builders to maintain their site to reduce runoff during construction. Council stated that future discussion was in order on this item.

ADJOURNMENT

Motion to adjourn meeting by Ellyson, second by Colton. City Council meeting adjourned at 8:10 p.m.

Mark Worrell, Mayor

ATTEST: _____
Jennifer Harden, Administrative Assistant